

In re Bremer, et al.
10/664,421

Atty. Dkt. No. 039363-0703

Remarks

Courtesies extended to Applicants' representative during the telephone interview held March 7, 2006, are acknowledged with appreciation.

Claim Amendments

By the present communication, claims 1-14 and 20-119 have been canceled without prejudice. New claims 120-141, drawn to *in vitro* methods for identifying ligands of PIM-1, have been added. No new matter is introduced as the claimed subject matter is fully supported by the specification and claims as originally filed.

New claims 120, 124, 129 and 134 and dependent claims thereof find support in the application, for example, in original claims 1-14 and 109-116, and in paragraphs [0018]-[0020] which discuss binding affinity and binding specificity, where such binding can be determined *in vitro*, e.g. by an assay as described in paragraph [0032], where such assays are exemplified as described in paragraphs [0314]-[0320].

In view of the amendments submitted herewith, claims 15-19 and 120-141 are pending and under active prosecution. Applicants reserve the right to pursue claims as originally filed in a continuation application. The Listing of Claims with appropriate status identifier begins on page 2 of this communication.

Election/Restrictions

Applicants hereby elect Group II, Claims 15 through 19, for prosecution on the merits. Claims 16-18, which were apparently excluded by the Examiner in the restriction requirement, belong to Group II and should be examined along with claims 15 and 19. New claims 120-141, also drawn to *in vitro* methods of identifying ligands of PIM-1, also belong to Group II. In sum, claims 15-19 and 120-141 belong to Group II.

In re Bremer, et al.
10/664,421

Atty. Dkt. No. 039363-0703

This submission is filed timely as it is accompanied by a Petition for Extension of Time for one month under 37 C.F.R. §§ 1.136. No additional fee is believed due with the present submission. However, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application, or credit any overpayment, to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extensions under 37 C.F.R. §§ 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

In view of the above amendments and remarks, prompt and favorable action are respectfully requested. In the event that any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date

April 10, 2006

FOLEY & LARDNER LLP
P.O. Box 80278
San Diego, CA 92138-0278
Telephone: 858-847-6700
Facsimile: 858-792-6773

By

Barry S. Wilson

Richard J. Warburg
Attorney for Applicant
Registration No. 32,327
By Barry S. Wilson
Registration No. 39,431